



Control Number: 37448



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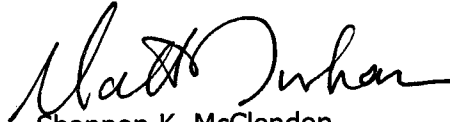
**SOAH DOCKET NO. 473-10-1097
PUC DOCKET NO. 37448**

**APPLICATION OF LCRA § BEFORE THE STATE OFFICE
TRANSMISSION SERVICES §
CORPORATION TO AMEND ITS §
CERTIFICATE OF CONVENIENCE AND §
NECESSITY FOR THE GILLESPIE TO § OF
NEWTON 345-KV CREZ §
TRANSMISSION LINE IN GILLESPIE, §
LLANO, SAN SABA, BURNET, AND §
LAMPASAS COUNTIES, TEXAS § ADMINISTRATIVE HEARINGS**

**MR. BOB KOEHLER'S
RESPONSE TO COMMISSION STAFF'S SECOND SET OF
REQUESTS FOR INFORMATION TO ALL INTERVENORS**

COMES NOW Mr. Bob Koehler and files this, his Response to Commission Staff's Second Set of Requests for Information to All Intervenors. This response is timely filed. Mr. Koehler agrees and stipulates that all parties may treat these responses as if they were filed under oath.

Respectfully submitted,



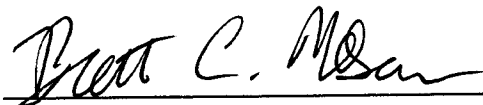
Shannon K. McClendon
State Bar No. 13412500
Matthew D. Durham
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ATTORNEYS FOR MR. BOB KOEHLER

CERTIFICATE OF SERVICE

I certify that a copy of the above has been sent via electronic mail or via facsimile as designated by all parties of record in this proceeding on this 17th day of December, 2009.

A handwritten signature in cursive script, reading "Brett C. Nelson", is written over a horizontal line.

Brett C. Nelson

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**MR. BOB KOEHLER'S RESPONSES TO COMMISSION STAFF'S
SECOND SET OF REQUESTS FOR INFORMATION TO ALL INTERVENORS**

Question BA-1-1

Do you have a habitable structure (According to Subst. R. 25.101, a habitable structure is a structure that is normally inhabited by humans or intended to be inhabited by humans on a daily or regular basis.) near one or more of the links of the proposed transmission line? If so, describe the structure, identify the link(s) and estimate how far the proposed line is from the habitable structure?

Response

No, there is no habitable structure on the affected property owned by Mr. Bob Koehler at this time. But, the property was purchased with the intent of building a retirement home.

Sponsoring Witness: Mr. Bob Koehler

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Question BA-1-2

Will one or more of the links of the proposed transmission line cross your property? If so, identify the links and any features like a property line, pipeline, power line or road that the proposed transmission line will follow through your property.

Response

Yes, Link C31 crosses the northeastern corner of the Koehler property. Link C31 does not follow the Koehler property line nor any other existing feature of the property.

Sponsoring Witness: Mr. Bob Koehler

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Question BA-1-3

Have you discussed any modifications to the proposed transmission line route on your property with a representative of LCRA TSC? If so, what were the modifications to the proposed route that you suggested and what was the response of LCRA TSC?

Response

No, neither Mr. Koehler nor his representatives have meet with representatives from LCRA TSC regarding proposed Link C31. Moreover, Mr. Koehler did not receive notice from LCRA TSC regarding this project as LCRA TSC failed to include Mr. Koehler on its list of noticed landowners. LCRA TSC noticed another landowner with regard to the Koehler property and failed to accurately identify the Koehler property on the maps included in LCRA TSC's application.

Sponsoring Witness: Mr. Bob Koehler

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Question BA-1-4

What are your specific concerns about the proposed transmission line?

Response

Mr. Koehler has the following specific concerns about the proposed transmission line, if it utilizes Link C31:

- Link C31, the proposed link that traverses the Koehler property, will require a sizeable easement. This easement will require the clear-cutting of virgin Texas Hill Country on the Koehler property. This wooded property is home to many birds and other wildlife, and provides food, shelter and refuge for these animals.
- Mr. Koehler's view, overlooking thousands of acres of the pristine Hill Country, will be destroyed by LCRA TSC's transmission line.
- Link C31 fails to utilize existing rights-of-way and easements.

Other specific concerns may become apparent through continued discovery and the development of Mr. Koehler's case. Mr. Koehler will address additional concerns in his direct testimony if such concerns arise.

Sponsoring Witness: Mr. Bob Koehler

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Question BA-1-5

Did you attend any open houses presented by the utility concerning this proposed transmission line? If so, when and where? Did you provide written comments to LCRA TSC at or after the open house?

Response

No, Mr. Koehler did not attend the LCRA TSC-hosted open houses. Mr. Koehler was not noticed about the proposed transmission line or the related open houses as LCRA TSC failed to correctly identify his property and further failed to include him on its list of noticed landowners. Accordingly, Mr. Koehler had no knowledge of such meetings.

Sponsoring Witness: Mr. Bob Koehler

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Question BA-1-6

Are your property boundaries represented accurately on the maps provided by the utility? If not, please explain any discrepancies and provide a modified LCRA TSC map or drawing to indicate the discrepancies?

Response

No, the Koehler property boundaries are not represented accurately on LCRA TSC's maps. The boundaries of LCRA-labeled tract number C31-027 are the boundaries of the entire subdivision of which the Koehler property is a part. Mr. Koehler's property comprises the northeastern section of this tract. A map depicting the location of the Koehler property is attached to Bob Koehler's Response to Commission Staff's Objection to Motion to Intervene (Dec. 7, 2009).

Sponsoring Witness: Mr. Bob Koehler

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Question BA-1-7

What is the primary use for your property and, in your opinion, will this use be impacted by the proposed transmission line?

Response

Mr. Koehler recently purchased this property in a substantial subdivision to build a custom retirement home on the property. The use of the property for this purpose will be impacted severely by LCRA TSC's transmission line.

Other specific impacts may become apparent through continued discovery and the development of Mr. Koehler's case. Mr. Koehler will address additional concerns in his direct testimony if such concerns arise.

Sponsoring Witness: Mr. Bob Koehler

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Question BA-1-9¹

In your opinion, is there any feature about your land that you believe should be considered when routing a transmission line on your property? If so, please explain.

Response

No, there is no feature about the Koehler property that makes it appropriate for transmission line placement. Mr. Koehler requests that a route that does not utilize Link C31 be selected in this proceeding.

Other specific issues may become apparent through continued discovery and the development of Mr. Koehler's case. Mr. Koehler will address additional concerns in his direct testimony if such concerns arise.

Sponsoring Witness: Mr. Bob Koehler

¹ Commission Staff's Requests for Information has eight (8) separate questions. However, there is no question numbered as "BA-1-8." The question after "BA-1-7" is "BA-1-9."